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**UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA**

THE BANK OF NEW YORK MELLON  
F/K/A THE BANK OF NEW YORK AS  
SUCCESSOR TO JPMORGAN CHASE  
BANK, N.A., AS TRUSTEE FOR THE  
HOLDERS OF SAMI II TRUST 2006-AR7,

Plaintiff,

vs.

ROYAL HIGHLANDS STREET AND  
LANDSCAPE MAINTENANCE  
CORPORATION; SFR INVESTMENTS  
POOL 1, LLC; and ALESSI & KOENIG,  
LLC,

Defendants.

SFR INVESTMENTS POOL 1, LLC, a  
Nevada limited liability company,

Counterclaimant/Cross-Claimant,

vs.

THE BANK OF NEW YORK MELLON  
F/K/A THE BANK OF NEW YORK AS  
SUCCESSOR TO JPMORGAN CHASE  
BANK, N.A., AS TRUSTEE FOR THE  
HOLDERS OF SAMI II TRUST 2006-AR7;  
and LOIS HAUGABOOK DORSEY, an  
individual,

Counter-Defendant/Cross-Defendant.

Case No.: 2:16-cv-01993-JCM-PAL

**STIPULATION AND  
ORDER THAT (1) SFR SHALL  
WITHDRAW ITS MOTION FOR  
SUMMARY JUDGMENT FILED  
DECEMBER 20, 2017 [ECF No. 65], (2)  
SFR SHALL HAVE UNTIL JANUARY 3,  
2018 TO FILE ITS RESPONSE TO  
PLAINTIFF'S MOTION FOR SUMMARY  
JUDGMENT [ECF No. 57], AND (3) THE  
PARTIES SHALL HAVE UNTIL  
JANUARY 19, 2019 TO FILE REPLIES IN  
SUPPORT.**

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Plaintiff/counter-defendant/cross-defendant THE BANK OF NEW YORK MELLON  
 FKA THE BANK OF NEW YORK AS SUCCESSOR TRUSTEE TO JP MORGAN CHASE  
 BANK, N.A. AS TRUSTEE FOR THE HOLDERS OF SAMI II TRUST 2006-AR7 (“BONY  
 Mellon”), defendant/counterclaimant/cross-claimant SFR INVESTMENTS POOL 1, LLC  
 (“SFR”), and defendant ROYAL HIGHLANDS STREET AND LANDSCAPE  
 MAINTENANCE CORPORATION (“Association”) here by stipulate and agree as follows:

1. On November 30 2017, BONY Mellon filed a Motion for Leave to File  
 Supplemental Briefing in Support of [Its] Motion for Summary Judgment [ECF No. 57] (“BONY  
 Mellon’s MSJ Mot.”), [ECF No. 60 (“Mtn. to Supp.”)], based on the recent Nevada Supreme  
 Court decision in *Nationstar Mortgage, LLC v. Saticoy Bay LLC Series 2227 Shadow Canyon*,  
 No. 70382, 2017 WL 5633293 (Nev. Nov. 22, 2017) (“*Shadow Canyon*”).

2. The parties, agreeing that *Shadow Canyon* could impact the case and briefing,  
 filed a Stipulation to withdraw prior motions for summary judgment [ECF Nos. 57 and 58  
 (SFR’s MSJ Mot.)] and proposed a new briefing schedule, including that responses to the  
 pending MSJ Mot’s. would not be due on December 11, 2017. [ECF No. 62].

3. This Court has since entered an Order denying a motion to amend filed by BONY  
 Mellon [ECF No. 53] and denying the Motion to Supplement. [ECF No. 63].

4. This Court has not yet ruled on the parties’ stipulation. However, in the Order,  
 this Court noted that since dispositive motion briefing was still in progress the parties could  
 address *Shadow Canyon* in the remainder of the briefing. [ECF No. 63.]

5. SFR, in anticipation of the stipulation, did not file its response to BONY Mellon’s  
 MSJ Mot., and instead filed a new motion for summary judgment on December 20, 2017. [ECF  
 No. 65.]

6. BONY Mellon filed its response to SFR’s original motion for summary judgment.  
 [ECF No. 61.]

Based on the foregoing the parties STIPULATE AND AGREE that:

- a) SFR shall withdraw the motion for summary judgment filed on December 20,  
 2017;

b) SFR shall have until January 5, 2018 to file its Response to BONY Mellon's MSJ Mot.

c) The parties' Replies in Support shall be due no later than January 19, 2018.

The parties do not make these agreements for purposes of delay or prejudice but to have the opportunity to present all arguments and a full record to the Court. Thus, the parties request this Court enter an order approving this Stipulation.

DATED this 21st day of December, 2017

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**IT IS SO ORDERED.**

DATED: December 29, 2017.

  
\_\_\_\_\_  
U.S. DISTRICT COURT JUDGE

**CERTIFICATE OF SERVICE**

I HEREBY CERTIFY that on December 21, 2017, pursuant to FRCP 5, I served via the CM-ECF filing system the foregoing **STIPULATION and (PROPOSED ORDER) THAT (1) SFR SHALL WITHDRAW ITS MOTION FOR SUMMARY JUDGMENT FILED DECEMBER 20, 2017 [ECF No. 65], (2) SFR SHALL HAVE UNTIL JANUARY 3, 2018 TO RESPOND TO PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT [ECF No. 57], AND (3) THE PARTIES SHALL HAVE UNTIL JANUARY 19, 2019 TO FILE REPLIES IN SUPPORT**, as follows:

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